

REMARKS

Reconsideration of the present application, as amended, is respectfully requested.

By means of the present amendment, the current Abstract has been amended as shown in the enclosed Replacement Abstract for better conformance to U.S. practice.

In the Office Action, the Examiner found that the Application was in condition for allowance, except for the certain informalities which are addressed below. Applicant gratefully acknowledges the Examiner's indication that this application contains allowable subject matter. Prosecution has been closed on the merits in accordance with Ex Parte Quayle, 1935 C.D. 11, 453 O.G. 213.

In the Office Action, claim 4 was objected to since "the Amendment filed on September 13, 2004, regarding claim 4, it terminated with "the following steps", and then does not shoe what are the steps." It is respectfully submitted that the reference to this 'Amendment' includes a typographic error since there is no such Amendment filed on September 13, 2004. Rather, a Preliminary Amendment was concurrently filed with the present Application on

December 21, 2001, where page 2 of the Preliminary Amendment shows features of claim 4 that follow "the following steps". It is believed that this page 2 is missing from the Examiner's file. It should be noted that page 4 of the Preliminary Amendment also shows the complete claim 4 in a marked-up version. For the Examiner's convenience, a copy of the Preliminary Amendment (4 pages) filed on December 21, 2001, is enclosed herewith. Accordingly, withdrawal of the objection to claim 4 is respectfully requested.

In the Office Action, claims 1-4 were rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. In response, the specification has been amended for clarification related to the spreading code and the conjugate spreading code, as shown in FIG 1 and further described in the Abstract. It is respectfully submitted that the specification, the abstract, and FIG 1 enable one skilled in the art to make and/or use the invention. Accordingly, withdrawal of the rejection to claims 1-4 is respectfully requested.

PATENT  
Serial No. 10/028,121  
Amendment in Reply to Office Action of July 12, 2005

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

By   
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August 24, 2005

Enclosure: Replacement Abstract  
Preliminary Amendment (4 pages) filed on  
December 21, 2001

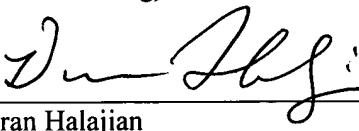
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By   
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REPLACEMENT ABSTRACT

This An apparatus (1) comprises includes two antennas and a receiving device (7) working with space diversity and comprising for this purpose two antennas (15) and (17). The receiving device (7) receives signals modulated with complex time spreading coefficients  $C_0, C_1 \dots C_N$  produced by a base station (8). The receiving device comprises includes demodulation branches (30) and (31) which have code inputs. To avoid signals coming from the antennas (15) and (17) being digitally coded in an independent manner, the a mixer circuit (20) shifts the phase of the signals of one of the channels, whereas the code inputs of one of the branches receive the spreading code and the inputs of at least one other branch receive the conjugate spreading code. Telephone transmission for mobiles.

Fig. 1